

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SATURNINO DE JESUS-RODRIGUEZ,

Petitioner,

v.

WARDEN,

Respondent.

Civil Action No. 23-03609 (ZNQ)

OPINION

QURAISHI, District Judge

Before the Court is Saturnino De Jesus-Rodriguez’s (“Petitioner”) *pro se* petition for writ of habeas corpus under 28 U.S.C. § 2241, seeking to change Petitioner’s status to “eligible” for earned Time Credits under the First Step Act (“FSA Time Credits”), and then the application of earned Time Credits to his sentence. (ECF No. 1). After Petitioner paid the requisite filing fee, this Court ordered the Respondent to answer the petition. (ECF No. 3).

In lieu of a formal answer, Respondent has filed a letter in response to the petition. (ECF No. 6). In the letter, Respondent explains that the Petition is now moot in light of the Federal Bureau of Prisons’ (“BOP”) Change Notice to Program Statement 5410.01, under which Petitioner is now eligible for FSA Time Credits. (*Id.*). Respondent confirms that the BOP has changed Petitioner’s FSA Time Credits eligibility status and has applied fifty days of earned Time Credits towards Petitioner’s release date, which is now set for August 28, 2025. (*Id.* at 2). In support, Respondent attaches a Declaration by Jonathan Kerr, the Senior CLC Attorney for BOP’s Northeast Regional Office, and a report of Petitioner’s Inmate Data, which confirms that Petitioner is now listed as “eligible” for FSA Time Credits and that fifty days of earned Time Credits have

been credited for him. (ECF No. 6-1). Accordingly, Respondent argues that the Petition is now moot. (*Id.*).

This Court agrees that the Petition is now moot. “If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.” *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996). Here, the petition no longer presents a live case or controversy. Indeed, Petitioner has received the relief he requested — namely, to be marked as “eligible” for FSA Time Credits and to have his earned Time Credits applied to his sentence. Therefore, the Court will dismiss this matter as moot.

An appropriate order follows.

Dated: May 7, 2025

s/ Zahid N. Quraishi
ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE